

## DECLARATION OF DEBORAH LEE

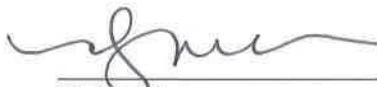
I, Deborah Lee, make the following declaration based on my personal knowledge and declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney licensed to practice before the State of New Jersey and the District of Columbia. My business address is 199 Water Street, 3<sup>rd</sup> Floor, New York, New York 10038. Since November 2022, I have been employed as Attorney-in-Charge of the Immigration Law Unit at The Legal Aid Society and have been otherwise employed with The Legal Aid Society since December 2018. I am over the age of 18 and am competent to testify regarding the matters described below.
2. I have practiced exclusively in immigration law since 2003. Over the course of my career, I have represented hundreds of non-citizens, including with applications and petitions for immigration benefits or relief filed with U.S. Citizenship and Immigration Services (USCIS) and in removal proceedings before the Executive Office for Immigration Review (EOIR).
3. As the Attorney-in-Charge of the Immigration Law Unit at The Legal Aid Society, I currently manage over 80 staff members in providing immigration legal services to low-income non-citizen New Yorkers. Our staff represent non-citizens before U.S. Citizenship and Immigration Services (USCIS), before immigration judges in removal proceedings, on appeals to the Board of Immigration Appeals (BIA), and in federal courts on *habeas corpus* petitions, petitions for review, and other federal litigation matters.
4. The Legal Aid Society represents individuals with: (a) final removal orders in removal proceedings pursuant to 8 U.S.C. § 1229a (Section 240 proceedings); and (b) those with final removal orders issued by the Department of Homeland Security pursuant to 8 U.S.C. § 1231(a)(5) (reinstatement orders) or 8 U.S.C. § 1228(b) (238b orders).
5. Our client, A.A., is a citizen of El Salvador. He was detained in ICE custody and Section 240 removal proceedings were initiated against him. The Immigration Court designated El Salvador, and no other country, as the country of removal. On February 21, 2025, the Immigration Court granted him withholding of removal under the Immigration and Nationality Act, based on A.A.'s fear that that the government of El Salvador and MS-13 gang members would harm him. Both A.A. and the Department of Homeland Security waived appeal.
5. To this day, A.A. remains detained in ICE custody. On February 24, 2025, ICE informed our office that they will hold A.A. for at least 90 days while ICE attempts to find a third country to which to remove him. Recently, A.A. informed us that ICE stated they will hold him for an additional 90 days even if they do not find a country to which to remove him. ICE has not provided A.A. with any information about the specific third countries they are considering for his removal. ICE has not provided A.A. with any information about an opportunity to express fear of removal to a third country.

6. Our client, B.B., is a citizen of Nigeria. He was detained in ICE custody and Section 240 removal proceedings were initiated against him. The Immigration Court designated Nigeria, and no other country, as the country of removal. On December 9, 2024, B.B. was granted deferral of removal under the Convention Against Torture (“CAT”). His application for CAT was based on his fear of torture by a transnational criminal group. The Department of Homeland Security waived appeal.
7. B.B. remains detained in ICE custody. As of this date, it has been more than 100 days since he was granted protection by the Immigration Judge. Recently, ICE informed us that B.B.'s detention will be continued pending further review by ICE HQ. The ICE officer stated that there was no timeframe for how long the process of HQ review would take. Moreover, B.B. informed us that ICE stated that all deferral and withholding cases were being referred to HQ for review. In light of his continued detention and the delay in releasing B.B., we believe that ICE may be attempting to remove B.B. to a third country because ICE cannot remove him to Nigeria.

I declare under penalty of perjury that the above information is true and correct to the best of my knowledge.

Executed this 21st day of March 2025 at New York, New York.



Deborah Lee